

COUNTY OF KAUAI
Minutes of Meeting
Open Session

Board/Committee:	LIQUOR CONTROL COMMISSION	Meeting Date	December 21, 2017
Location	Mo'ikeha Building, Meeting Room #3	Start of Meeting: 4:00 p.m.	End of Meeting: 4:15 p.m.
Present	Chair Jean Iida, Vice Chair William Gibson; Members: Paul Endo, Maryanne Kusaka, Gerald Matsunaga, and Gary Pacheco Also: Liquor Control Staff: Director Gerald Rapozo, Private Secretary Cherisse Zaima; County Attorney Mauna Kea Trask		
Excused	Shirley Akita		
Absent			

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SUBJECT	DISCUSSION	ACTION
Call To Order		Chair Iida called the meeting to order at 4:00 p.m. with 6 members present, constituting a quorum.
Roll Call	Director Rapozo called roll, noting 6 members were present.	
Approval of the Agenda		Mr. Pacheco moved to approve the agenda. Mr. Gibson seconded the motion. Motion carried 6:0.
Violation Hearing	<p><u>THE MARKET</u>: Violation of Rule 10.2(a) Manager on Duty, qualifications</p> <p>Mr. Shaun Borges, General Manager, and Mr. Ian Nelson were present to represent the licensee; no counsel.</p> <p>The licensee admitted to the charges.</p> <p>Mr. Borges explained that they have several new associates on staff, and the associate with the red card went to the restroom, which is when the liquor</p>	

	<p>investigator came to the premises. Currently, all associates have red cards, but since they are in the process of renovating, all liquor has been removed and will not be sold for the time being in the retail establishment. Mr. Nelson further explained that their license has been turned in to the department to be held in abeyance until the renovations are complete.</p> <p>Commissioner Matsunaga noted that the licensee was issued a similar violation back in March of this year to which Mr. Nelson replied that a written warning was given at that time. Commissioner Matsunaga pointed out that according to the department's records a \$250 fine was imposed, which indicates the issuance of a violation to which Mr. Borges agreed was a true statement. He noted that they are a new management team to the hotel, and came on board after that hearing took place, but he does believe that to be true. Since then, they have taken measures to ensure the hotel and retail store are in compliance.</p> <p>The violation hearing was closed.</p>	<p>Mr. Matsunaga moved that a fine of \$500 be imposed with \$250 suspended provided there is no conviction of the same offense within 1 year. Mr. Pacheco seconded the motion. Motion carried 6:0.</p>
Approval of the Minutes	<p><u>APPROVAL OF MEETING MINUTES:</u></p> <p>Open session minutes of December 7, 2017</p> <p>Mr. Gibson noted some corrections to be made to the minutes: On page 10 there is a reference to Attorney Courson, which should be corrected to Attorney Trask. On page 12 there is a reference to Tai Drent, which should be corrected to Tai Erum.</p>	<p>Mr. Endo moved to approve the minutes with corrections. Mr. Pacheco seconded the motion. Motion carried 6:0.</p>
1.	<p><u>DIRECTOR'S REPORT:</u></p> <p>a) <u>INVESTIGATORS' REPORTS</u></p>	

	<p>b) <u>INCOMING COMMUNICATIONS:</u> (1) From Avid Marketing Group (2) Disturbance Report from Big Wave Dave's</p> <p>c) <u>OUTGOING COMMUNICATIONS:</u> (1) To Avid Marketing Group (2) To All Wholesale Licensees, Re: Transfer Liquor License Ruth's Chris Steak House</p> <p>d) <u>EMPLOYEES IN LICENSED PREMISES:</u> Managers and Assistant Managers – See Attachment</p> <p>e) <u>ACTIONS OF THE DIRECTOR:</u> (1) FOODLAND PRINCEVILLE (2) KUKUI'ULA STORE (3) ROB'S GOOD TIMES GRILL</p> <p>f) <u>INFORMATIONAL MATTERS:</u></p>	<p>Mr. Pacheco moved to accept Items 1(a) through 1(f). Mr. Matsunaga seconded the motion. Motion carried 4:0.</p>
2.	<p><u>CHANGE IN CORPORATE OFFICERS:</u></p> <p><u>POIPU BEACH RESTAURANT, LLC dba KEOKI'S PARADISE:</u> Removal of Cory Dotario as member; addition of Jaime Ornellas as member.</p>	<p>Mr. Endo moved to accept the change in corporate officers. Mr. Pacheco seconded the motion. Motion carried 6:0.</p>
3.	<p><u>LICENSE IN ABEYANCE:</u></p> <p><u>THE MARKET:</u> Request to hold Retail Dealer General License No. 4G-038 in abeyance until renovations are complete.</p>	<p>Mr. Matsunaga moved to accept the request to hold license in abeyance. Mr. Pacheco seconded the motion. Motion carried 6:0.</p>

4.	<p><u>TEMPORARY LICENSE:</u></p> <p><u>PASTA PARAISO:</u> Application No. 2018-068 was filed on December 12, 2017 by Erichsen's LLC dba Pasta Paraiso for a temporary liquor license to operate Restaurant General License No. 2G-064 located at 3830 Hanapēpē Road, Hanapepe, Kauai, Hawaii. Deposited \$60.</p>	Mr. Gibson moved to approve the temporary liquor license. Mr. Pacheco seconded the motion. Motion carried 6:0.
5.	<p><u>TRANSFER LIQUOR LICENSE:</u></p> <p><u>PASTA PARAISO:</u> Application No. 2018-067 was filed on December 12, 2017 for transfer of Restaurant General License No. 2G-064 from Cloroshko LLC dba El Azteca to Erichsen's LLC dba Pasta Paraiso located at 3830 Hanapēpē Road, Hanapepe, Kauai, Hawaii. Deposited \$275.</p>	Mr. Pacheco moved for publication and public hearing for Application No. 2018-068. Mr. Endo seconded the motion. Motion carried 6:0.
6.	<p>1. <u>ELECTION OF CHAIR AND VICE-CHAIR FOR 2018</u></p>	<p>Mr. Endo moved to elect William Gibson for the position of Chair. Mr. Matsunaga seconded the motion. Motion carried 6:0.</p> <p>Mr. Matsunaga moved to elect Paul Endo for the position of Vice-Chair. Mr. Pacheco seconded the motion. Motion carried 6:0.</p>
Announcements	Next Scheduled Meeting: Thursday, January 4, 2018 – 4:00 pm, Mo'ikeha Building, Meeting Room #3.	
Adjournment		Chair Iida adjourned the meeting at 4:14 p.m.

Submitted by: _____
Cherisse Zaima, Private Secretary

Reviewed and Approved by: _____
Jean Iida, Chair